

# Wetlands Bureau Decision Report

Decisions Taken  
08/08/2011 to 08/14/2011

## **DISCLAIMER:**

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

## **APPEAL:**

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 30 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to George "Chip" Kimball, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

## MAJOR IMPACT PROJECT

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### **2004-02838                      SDJ DEVELOPMENT OF ROCHESTER LLC** **ROCHESTER   Unnamed Wetland**

#### Requested Action:

Approve name change to: SDJ Development of Rochester, LLC, c/o Chesapeake Development LLC, 501 Daniel Webster Hwy Unit F, Merrimack NH 03054 per request received 8/8/11. Previous owner: 183 Washington Street, LLC.

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Inspection Date: 03/17/2011 by David A Price

Inspection Date: 04/28/2005 by Jocelyn S Degler

#### APPROVE NAME CHANGE:

Fill 1,834 square feet of palustrine forested wetland for road construction. The project includes 126 apartments, 84 row houses, 140 single family and 22 single family age restricted homes, a bed and breakfast, health club, general store and daycare facility on a 220 acre parcel. Compensatory mitigation includes creation of 49,970 sq.ft. of poorly drained forested wetlands in two locations designated as "Mitigation Area 2" and "Mitigation Area 3".

Waive Rule Env-Wt 502.01, Duration of Permit, and grant a 3-year time extension from the original expiration date of the permit.

#### With Conditions:

1. All work shall be in accordance with plans prepared by Robert Rook, PE dated received by the Department on February 10, 2005.
2. This approval is for phase I and II only. Any future work on this property, specifically south of Hussey Road, that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
3. This permit is contingent on approval by the DES Site Specific Program.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback within permitted phases.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Strafford County Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
7. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
8. Work shall be conducted during low water conditions.
9. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
11. The temporary impact area for installation of the sewer line shall be regraded to original contours following completion of work, seeded and stabilized for complete restoration.
12. Mulch within the restoration area shall be straw.
13. Roadway construction will include 2:1 side slopes in wetland crossing areas.
14. Proper headwalls shall be constructed within seven days of culvert installation.
15. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
17. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
18. Silt fencing must be removed once the area is stabilized.

19. A post-construction report documenting the status of the restored jurisdictional area, including photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

Wetland Construction:

20. AMENDED: This permit is contingent upon the creation of two wetlands areas, now known as "Mitigation Area 2" and "Mitigation Area 3" in accordance with plans by Stoney Ridge Environmental renaming the mitigation areas, and as received on August 8, 2007. In the event that a conservation easement holder agrees to oversee the protection of the remainder of the property, the Wetlands Bureau shall review the proposal and consider an amendment to the permit.
21. This permit is contingent upon the creation of 49,970 sq. ft. of wetlands in two locations on the property.
22. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
23. The schedule for construction of the mitigation areas shall coincide with site construction unless otherwise considered and authorized by the Wetlands Bureau.
24. The mitigation area shall be properly constructed, monitored, and managed in accordance with approved final mitigation plans.
25. Wetland creation areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydrologic regime.
26. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the mitigation areas are constructed in accordance with the mitigation plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
27. The permittee shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.
28. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the mitigation area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of each mitigation site.
29. Wetland creation areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
30. The permittee shall delineate the wetlands within the mitigation site, document the delineation with data forms, and depict the delineation as an overlay of the final as-built plans after at least five full growing seasons.
31. Wetland soils from areas vegetated with purple loosestrife shall not be used in the wetland creation site. The potential for the establishment of the invasive species should be considered in other areas where spoils may be spread to limit its further establishment.
32. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.
33. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Env-Wt 502.02.

**2011-00810**

**NORTHFIELD, TOWN OF**

**NORTHFIELD Unnamed Wetland Williams Brook & Unnamed Streams/wetlands**

Requested Action:

Proposal to dredge and fill approximately 1560 sq. ft. of stream and associated wetlands for the repair and replacement of 4 culvert crossings along Bean Hill Road. Work consists of upgrading a 30 in. CMP at station 115+57 with a 48 in. x 50 ft. HDPE culvert with associated headwalls, replacement of 15 in. CMP culvert at station 147+13 with a 15 in. x 38 ft. HDPE culvert, replacement of a 15 in. CMP culvert at station 153+06 with a 15 in. x 37 ft. HDPE culvert with associated pre-cast headwalls and slip-line an

existing 72 in. BCCMP culvert at station 162+95 with a 59 in. HDPE pipe liner with tapered ends.

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#### APPROVE PERMIT:

Dredge and fill approximately 1560 sq. ft. of stream and associated wetlands for the repair and replacement of 4 culvert crossings along Bean Hill Road. Work consists of upgrading a 30 in. CMP at station 115+57 with a 48 in. x 50 ft. HDPE culvert with associated headwalls, replacement of 15 in. CMP culvert at station 147+13 with a 15 in. x 38 ft. HDPE culvert, replacement of a 15 in. CMP culvert at station 153+06 with a 15 in. x 37 ft. HDPE culvert with associated pre-cast headwalls and slip-line an existing 72 in. BCCMP culvert at station 162+95 with a 59 in. HDPE pipe liner with tapered ends.

#### With Conditions:

1. All work shall be in accordance with plans and narratives by Quantum Construction Consultants, LLC plans dated April 8, 2011, as received by the NH Department of Environmental Services (DES) on April 18, 2011 and narratives received by DES on July 12, 2011.
2. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Those plans shall detail the timing and method of stream flow diversion during construction, depict all temporary impacts and show temporary siltation/erosion/turbidity control measures to be implemented.
3. The Town shall obtain temporary construction easements or written agreements from affected landowners. Copies shall be supplied to DES Wetlands Bureau File No. 2011-00810 prior to construction.
4. The stream bed at the outlet of the proposed sliplined culvert (station 162+95) shall be restored with natural stone (no angular rip-rap) to provide a natural grade from the invert of the culvert outlet to the adjacent stream bed.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. Work shall be done during low flow.
8. Any temporary impacts within the stream channels shall be restored at natural grade using natural round stone or existing streambed materials and shall not include angular rip-rap.
9. A qualified professional shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives and to assure no water quality violations occur.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
14. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
15. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
16. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired immediately.
17. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
18. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

#### With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 903.01 (g) A project shall be classified as a major impact project if:
  - (1) The stream crossing is a new or replacement tier 3 crossing.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has

demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

4. The applicant has investigated six repair options consisting of: #1. inverted resin impregnated felt tube process; #2. thermosetting resins; #3. polyurethane pipe rehabilitation; #4. concrete invert; #5. open cut replacement; and #6. HDPE sliplining.

5. The applicant chose Option #6 due the condition of the existing culvert and the lower cost.

6. It was estimated by the applicant that the replacement cost for the structure would be \$700,000.00 dollars vs. \$50,000.00 dollars for the chosen option.

7. As a result of the cost and other noted constraints it was determined that replacement of the crossing in accordance with Administrative Rule Env-Wt 904.08 would not be practicable. Therefore, the crossing repair was designed as an Alternative Design per Administrative Rule Env-Wt 904.09.

8. A New Hampshire Licensed Professional Engineer conducted a hydrological analysis of the existing conditions and proposed repair options/conditions and stamped the approved plans.

9. Two of the culvert crossings do not contain streams and the stream crossing culvert at station 115+57 is classified as a Tier One stream crossing per Administrative Rule Env-Wt 904.02(a).

10. DES has not received any abutter or public comments in objection to the proposed project.

11. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

**2011-01328                      TOWN OF COLEBROOK**  
**COLEBROOK   Connecticut River**

**Requested Action:**

Proposal to dredge and fill approximately 700 linear (36,000 sq. ft.) of bank and bed of the Connecticut River for bank stabilization and protection of the adjacent business park. Work consist of rip-rap slope revetment.

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**Conservation Commission/Staff Comments:**

**APPROVE PERMIT:**

Dredge and fill approximately 700 linear feet (33,400 sq. ft. includes 6,300 sq. ft. of temporary impacts) of bank and bed of the Connecticut River for bank stabilization and protection of the adjacent business park. Work consists of grading the existing slope, installation of rip-rap slope revetment to approximately the 100 year flood elevation, with areas of bioengineering along the top of the stone and establishment of a 25 foot wide native tree and shrub buffer along the entire revetment area.

**With Conditions:**

1. All work shall be in accordance with plans and narratives by CMA Engineers plans sheets 1 through 6 of 8 with revision date of August 10, 2011, planting plan sheets PL-1 and PL-2 and narratives, as received by the NH Department of Environmental Services (DES) on August 12, 2011.

2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

3. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.

4. Work shall be done during low flow.

5. A qualified professional shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives and to assure no water quality violations occur. A follow-up report shall be submitted to the Wetlands Bureau within 60 days of the completion of construction and after two full growing seasons.

6. The river banks buffer plantings shall have at least 75% successful establishment after two (2) growing seasons, or it shall be replanted and re-established in a manner satisfactory to the DES Wetlands Bureau.

7. A qualified professional shall monitor the project area and downstream shore banks for erosion for three years after construction is complete as requested by the Connecticut River Watershed Council ("CRWC"). A follow-up report shall be submitted to the

Wetlands Bureau and CRWC following each monitoring year.

8. Construction equipment shall not enter the surface water and shall conduct work from the adjacent banks and upland areas.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
10. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
11. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired immediately.
16. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
17. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
18. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(i) Projects that alter the course of or disturb 200 or more linear feet of an intermittent or perennial nontidal stream or river channel or its banks.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The existing bank is eroding approximately 10-20 feet landward per year and the river is now less than 60 feet from one of the existing buildings.
6. The project was previously approved with a bioengineered design (Wetlands Bureau File #2009-00080), however, due to an estimated bid cost of \$1.3 million dollars to \$2 million dollars and concerns of the design stability due to the frequent flood elevations and flow velocities the approved design was determined not to be practicable.
7. This application submittal has been revised to include a 25 foot planted riparian buffer, reduced fill in the river and added areas of soil lift application along the of the stone revetment.
8. The project is receiving funds from the Economic Development Authority ("EDA") and a Community Development Block Grant ("CDBG").
9. The Connecticut River Watershed Council requested that downstream shore banks be monitored for erosion for three years after construction.
10. The applicant agreed to the requested monitoring in a meeting at DES on August 9, 2011.
11. The project has been designed and plans stamped by a licensed New Hampshire Professional Engineer.
12. A report by a professional engineer stated that future upstream erosion is not likely to occur as a result of the proposed construction project and downstream impacts are not anticipated. The professional engineer further stated that the stone revetment will not change the current flow directions or overall river velocities at the downstream terminus of the revetment.
13. The project is for bank stabilization and to protect existing infrastructure and therefore does not require compensatory mitigation per Administrative Rule Env-Wt 302.03(c)(2)c.
14. DES has not received any abutter or public comments in objection to the proposed project.
15. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

**2011-01407                      NH DEPT OF TRANSPORTATION**  
**WOODSTOCK   Leemans Brook**

**Requested Action:**

Dredge 1,324 sq ft of brook channel and banks at the inlet and outlet of twin RCP 72" culverts.

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**Conservation Commission/Staff Comments:**

Cons. Comm. - no comments

Inspection Date: 07/21/2011 by Gino E Infascelli

**APPROVE PERMIT:**

Dredge 1,324 sq ft of brook channel and banks at the inlet and outlet of twin RCP 72" culverts. NHDOT project #M325-2

**With Conditions:**

1. All work shall be in accordance with plans by NHDOT District 3 dated 4/28/2011, as received by the Department on June 16, 2011.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
3. Construction equipment shall not be located within surface waters.
4. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.
5. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.
6. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
7. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
8. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
9. Work shall be done during no flow or low flow.
10. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
11. Trees recently cut and left in the brook along with the associated slash shall be removed from the brook prior to any dredging.

**With Findings:**

1. This is a major impact project per Administrative Rule Env-Wt 303.02(m), projects related to other applications in a manner such that if the proposed action were considered to be a single application the combined impact would be considered major
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on July 21, 2011. Field inspection found gravel and sand deposited in the brook two feet deep at and in the westerly culvert. The deposits are likely to be from a gravel excavation operation upstream. There was no flow found along 2,000 feet of brook inspected.
6. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

**2011-01408 NH DEPT OF TRANSPORTATION  
WOODSTOCK Leemans Brook**

**Requested Action:**

Dredge 2,342 sq ft of brook channel and bank at the inlet and outlet of twin RCP 72 in. culverts.

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**Conservation Commission/Staff Comments:**

Cons. Comm. - no comments

Inspection Date: 07/21/2011 by Gino E Infascelli

**APPROVE PERMIT:**

Dredge 2,342 sq ft of brook channel and bank at the inlet and outlet of twin RCP 72 in. culverts. NHDOT project #M325-3

**With Conditions:**

1. All work shall be in accordance with plans by NHDOT District 3 dated 4/28/2011, as received by the Department on June 16, 2011.
2. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
3. Construction equipment shall not be located within surface waters.
4. Within three days of the last activity in an area, all exposed soil areas, where construction activities are complete, shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack on slopes steeper than 3:1 or netting /matting and pinning on slopes steeper than 2:1.
5. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching or if temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching, mulching with tack on slopes steeper than 3:1 and stabilized by matting and pinning on slopes steeper than 2:1.
6. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
7. Extreme precautions to be taken within riparian areas to limit unnecessary removal of vegetation during road construction and areas cleared of vegetation to be revegetated as quickly as possible.
8. There shall be no further alteration to wetlands or surface waters without amendment of this permit.
9. Work shall be done during no flow or low flow.
10. Dredged material shall be placed out of the DES Wetlands Bureau jurisdiction.
11. Trees recently cut and left in the brook along with the associated slash shall be removed from the brook prior to any dredging.

**With Findings:**

1. This is a major impact project per Administrative Rule Env-Wt 303.02(m), projects related to other applications in a manner such that if the proposed action were considered to be a single application the combined impact would be considered major
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on July 21, 2011. Field inspection found a large amount of sand and gravel deposited in the brook including 3 feet deep of sand in the southerly culvert. The northerly culvert was clear. There was no flow found in the brook along the 2,000 linear feet inspected. The deposits are likely to be from a gravel excavation operation upstream.
6. In accordance with RSA 482-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.



## MINOR IMPACT PROJECT

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**2011-00556                      NELSON, ROBERT**  
**CONWAY   Unnamed Wetland**

### Requested Action:

Dredge and fill 4,892 square feet of forested wetlands for access to a single family residential homesite.

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### APPROVE PERMIT:

Dredge and fill 4,892 square feet of forested wetlands for access to a single family residential homesite.

### With Conditions:

1. All work shall be in accordance with plans by Thaddeus Thorne Surveys entitled Wetlands Permit Application Plan prepared for Robert Nelson (DWG. NO. 11-07) as received by DES on July 13, 2011.
2. This permit is contingent upon the submission to DES of reasonable proof of ownership or easement by the permittee.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. The culverts shall be laid at original grade.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
11. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

### With Findings:

1. This a minor impact project per Env-Wt 303.03(h) Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04 Requirements for Application Evaluation, has been considered in the design of the project.
5. The Conway Conservation Commission stated that they request the applicant redesign his driveway and access road as suggested by the Town of Conway's Engineer and that the redesign would result in less impact of wetland as a long-term goal.
6. The project was redesigned to address the Conservation Commission comments. The Town engineer has reviewed and approved the revised plan.
7. The applicant has requested a waiver per Env-Wt 204.03, to the requirement that the department shall limit the location of a project to at least 20 feet from an abutting property line or imaginary extension thereof over surface water unless it receives written

agreement from the affected abutter concurring with any impact that may result relative to the abutter's as required by Env-Wt 304.04 (a).

8. The applicant has attempted to get permission from the abutting property owners. Correspondence sent to the owner of tax map 269 lot 12 was returned as "attempted- not known, unable to forward". No response was received from the owner of tax map 269 lot 10

9. The waiver is granted in accordance with Env-Wt 204.04(b), as strict compliance with the rule will provide no benefit to the public and will cause an operational or economic hardship to the applicant.

10. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.

**2011-01065                      TOWN OF DEERING**  
**DEERING   Unnamed Stream Contoocook River**

**Requested Action:**

Dredge and fill  $\pm$  1,096 square feet and temporarily impact  $\pm$  153 square feet of an unnamed perennial stream and the Contoocook River to install a 72-inch HDPE slip liner within the existing Long Woods Road 84-inch x 48-foot CMP culvert and install a fish ladder.

\*\*\*\*\*

**APPROVE PERMIT:**

Dredge and fill  $\pm$  1,096 square feet and temporarily impact  $\pm$  153 square feet of an unnamed perennial stream and the Contoocook River to install a 72-inch HDPE slip liner within the existing Long Woods Road 84-inch x 48-foot CMP culvert and install a fish ladder.

**With Conditions:**

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated May 09, 2011, and revised through July 14, 2011, as received by the Department on July 14, 2011.
2. Work shall be done during annual low flow conditions.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. There shall be no excavation or operation of construction equipment in flowing water.
8. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
10. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
11. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
12. Temporary cofferdams shall be entirely removed immediately following construction.
13. Proper headwalls shall be constructed within seven days of culvert installation.
14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to construction.
16. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
17. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

18. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
19. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
20. The applicant shall notify the DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
21. A post-construction report including photographs documenting the status of the completed construction shall be submitted to the DES Wetlands Bureau within thirty (30) days of the completion of construction.

With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(p), Any project that includes a new or replacement stream crossing which meets the criteria for a tier 3 stream crossing as specified in Env-Wt 904.04(a).
2. The Applicant submitted an Alternative Design pursuant to Env-Wt 904.09 for the proposed culvert slipline.
3. The alternative design explained that meeting the stream crossing rules is not practicable because the culvert is backwatered by the Contoocook River. Additional issues include financial restraints.
4. NHFG Fisheries Division comments were incorporated into the proposed fish ladder design.
5. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
6. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
7. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
8. In accordance with RSA 428-A:8, DES finds that the requirements for a public hearing do not apply as the permitted project is not of substantial public interest, and will not have a significant impact on or adversely affect the values of the riverine resource, as identified under RSA 482-A:1.

**2011-01567                      AHEAD INC**  
**LISBON   Ammonoosuc River**

Requested Action:

Dredge and fill 997 square feet (71 linear feet) of the banks of the Ammonoosuc River for bank stabilization using gabion retaining wall and vegetation.

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APPROVE PERMIT:

Dredge and fill 997 square feet (71 linear feet) of the banks of the Ammonoosuc River for bank stabilization using gabion retaining wall and vegetation.

With Conditions:

1. All work shall be in accordance with plans by Engineering Ventures PC entitled Ahead- Lisbon Inn (Sheets C0.00; 1; C1.0.0; C1.1.0; C1.2.0; C1.3.0; C2.1.0; C3.1.0; C3.2.0) dated May 24, 2011 as received by DES on June 30, 2011.
2. A post-construction report with photographs documenting the status of the completed project shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Work shall be done during low flow conditions.
5. No equipment shall enter the water.
6. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
10. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

11. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
15. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
16. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
17. All activities shall be in accordance with the Comprehensive Shoreland Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland after July 1, 2008.

With Findings:

1. This is a minor project per Env-Wt 303.03 (k) Projects that disturb between 50 and 200 linear feet, measured along the shoreline, of a lake or pond or its bank and do not meet the criteria of Env-Wt 303.02.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. A subsurface exploration study by Ward Geotechnical Consultants PLLC Bank found that the bank is made of poor quality fill primarily comprised of granular soils but also containing boulders, wood, bricks and other construction materials. The poor quality fill reaches depths of approximately 16 to 19.5 feet below the asphalt and the fill is very loose to loose.
6. Catch basins will be installed to reduce the impacts of stormwater run-off on the bank and provide treatment. Other work on the site will result in a decrease in impervious surfaces which will help reduce the runoff volume.
7. There will be a net reduction in fill in the floodplain.
8. All trees will be replaced.
9. The applicant has provided a waiver request per Env-Wt 204.03, to waive the delineation of wetland boundaries as required per Env-Wt 301.01 (g).
10. There will be no adverse effect to the environment or natural resources of the state, public health, or public safety; or on abutting properties that is more significant than that which would result from complying with the Env-Wt 301.01.
11. The waiver is granted in accordance with Env-Wt 204.04(b), as strict compliance with the rule will provide no benefit to the public and will cause an operational or economic hardship to the applicant.
12. The applicant has provided a letter from the owner of Lisbon tax map U-4 lot 6 stating their agreement with the proposed plan as outlined in the application.
13. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.

**2011-01592**                      **MESSINA, CATHERINE/JOHN**  
**BRISTOL**   **Unnamed Stream Newfound Lake**

Requested Action:

Proposal to restore 870 sq. ft. of filled wetlands and associated intermittent stream and retain 210 sq. ft. of wetlands and intermittent stream impact for access. Work consists of removal of 40 linear ft. of an existing 24 in. x 60 ft. culvert, restoration of the stream channel and associated wetlands and retention of 20 linear ft. of 24 in. culvert, associated fill and headwalls.

\*\*\*\*\*

#### APPROVE PERMIT:

Restore 870 sq. ft. of filled wetlands and associated intermittent stream and retain 210 sq. ft. of wetlands and intermittent stream impact for access. Work consists of removal of 40 linear ft. of an existing 24 in. x 60 ft. culvert, restoration of the stream channel and associated wetlands and retention of 20 linear ft. of 24 in. culvert, associated fill and headwalls.

#### With Conditions:

1. All work shall be in accordance with plans by New England Environmental, Inc., dated February 11, 2011 and narratives, as received by the NH Department of Environmental Services (DES) on July 5, 2011.
2. Any future development of the site that requires an onsite subsurface sewer disposal system shall require an approval (new approval or if applicable revised approval) by the DES Subsurface Systems Bureau.
3. A New Hampshire Certified Wetlands Scientist ("CWS") shall prepare and submit a post-construction report documenting the status of the restored stream and wetlands to the Wetlands Bureau within 60 days of the completion of construction and after one-full growing season.
4. The wetland restoration area shall have at least 75% successful establishment of wetlands vegetation after one growing season, or it shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
10. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
14. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
15. All refueling of equipment shall occur outside of surface waters or wetlands.
16. Work shall be done during low flow or no flow.

#### With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(l) Projects that alter the course of or disturb less than 200 linear feet of an intermittent or perennial nontidal stream or river channel or its banks and do not meet the criteria for minimum impact under Env-Wt 303.04(n).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. 3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The application and permit are in response to a pending compliance case, DES Wetlands Bureau File #2010-1383 and Letter of Deficiency WD WET 10-015.

## MINIMUM IMPACT PROJECT

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**2010-03167                      GORHAM PAPERS & TISSUE LLC**  
**GORHAM   Cascade Dam**

### Requested Action:

Confirm Emergency Authorization to temporarily impact 340 square feet of the bank of the Androscoggin River to repair a broken fire main.

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### CONFIRM EMERGENCY AUTHORIZATION:

Confirm Emergency Authorization to temporarily impact 340 square feet of the bank of the Androscoggin River to repair a broken fire main.

### With Conditions:

1. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

### With Findings:

1. This is a Minimum Impact Project per Administrative Rule Env-Wt 303.04 (x) Maintenance, repair, or replacement of a nondocking structure.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The project was necessary to repair a broken fire main.
4. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on June 14, 2011.
5. Review of the materials submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.
6. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
7. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04 Requirements for Application Evaluation, has been considered in the design of the project.

**2011-00729                      TOWN OF MEREDITH**  
**MEREDITH   Lake Winnepesaukee**

### Requested Action:

Permanently remove an existing 6 ft 6 in x 92 ft dock supported by a full crib, install a 8 ft x 80 ft permanent floating dock accessed by a 5 ft x 5 ft ramp attached to a 6 ft x 5 ft permanent access dock, in the same location on approximately 80 ft of frontage on Lake Winnepesaukee, in Meredith.

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### Conservation Commission/Staff Comments:

Con Com signed Exp Application form

### APPROVE PERMIT:

Permanently remove an existing 6 ft 6 in x 92 ft dock supported by a full crib, install a 8 ft x 80 ft permanent floating dock accessed by a 5 ft x 5 ft ramp attached to a 6 ft x 5 ft permanent access dock, in the same location on approximately 80 ft of frontage on Lake Winnepesaukee, in Meredith.

### With Conditions:

1. All work shall be in accordance with plans as received by the NH Department of Environmental Services (DES) on August 3, 2011.

2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The existing dock and crib shall be completely removed from the waterbody prior to installing the docking structure.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. Appropriate siltation and erosion controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
8. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
9. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
10. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o), projects deemed minimum impact by the Department based on the degree of environmental impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The proposal removes 598 sq ft of crib from public submerged lands and replaces the permanent docking structure with a floating permanent docking structure.

**2011-01248                      PECKETT, ROBERT**  
**SUGAR HILL   Unnamed Stream**

Requested Action:

Confirm Emergency Authorization to temporarily impact approximately 300 square feet of the bed and banks of Salmon Hole Brook to for the installation of a temporary water diversion structure.

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CONFIRM EMERGENCY AUTHORIZATION:

Confirm Emergency Authorization to temporarily impact approximately 300 square feet of the bed and banks of Salmon Hole Brook to for the installation of a temporary water diversion structure.

With Conditions:

1. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a Minimum Impact Project per Administrative Rule Env-Wt 303.04 (o) Projects deemed minimum impact by the department based on the degree of environmental impact.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The project was necessary to allow repair of the road bed over an existing culvert that washed out during recent flooding.
4. Emergency authorization for this work was issued by DES Wetlands Bureau Staff on June 01, 2011.
5. Review of the materials submitted pursuant the emergency authorization indicates that work has been completed in accordance with the emergency authorization.

**2011-01381                      LABRIE, BRIAN**  
**MERRIMACK   Unnamed Wetland**

**Requested Action:**

Dredge and fill a total of 263 sq. ft. of isolated palustrine forested/scrub-shrub wetlands to develop a 0.6 acre commercial site / landscaping materials storage area and construct a stormwater detention basin.

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**Conservation Commission/Staff Comments:**

No comments were received from the Merrimack Conservation Commission on this application.

**APPROVE PERMIT:**

Dredge and fill a total of 263 sq. ft. of isolated palustrine forested/scrub-shrub wetlands to develop a 0.6 acre commercial site / landscaping materials storage area and construct a stormwater detention basin.

**With Conditions:**

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated March 8, 2011 (last revised 6/9/11), as received by the NH Department of Environmental Services (DES) on June 13, 2011.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2011-01514                      UNITY, TOWN OF**  
**UNITY   Unnamed Stream**

**Requested Action:**

Dredge and fill ± 298 square feet of an unnamed perennial stream for in-kind replacement of an existing 48-inch x 35-foot culvert.

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**APPROVE PERMIT:**

Dredge and fill ± 298 square feet of an unnamed perennial stream for in-kind replacement of an existing 48-inch x 35-foot culvert.

**With Conditions:**

1. All work shall be in accordance with plans by CLD Consulting Engineers, Inc. dated 06/11, as received by the Department on June 27, 2011.
2. Work shall be done during low flow conditions.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.



6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. There shall be no excavation or operation of construction equipment in flowing water.
8. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the surface waters.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
10. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
11. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
12. Temporary cofferdams shall be entirely removed immediately following construction.
13. Culverts shall be laid at original grade of the stream bed.
14. Proper headwalls shall be constructed within seven days of culvert installation.
15. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
16. The channel at the culvert inlet and outlet must maintain the natural and a consistent streambed elevation and not impede stream flow.
17. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to construction.
18. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
19. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
20. Banks shall be restored to their original grades and to a stable condition within three days of completion of construction.
21. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.
22. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
23. The applicant shall notify the DES Wetlands Bureau in writing within twenty-four (24) hours of an erosion event resulting in sediment entering a wetland or surface water.
24. A post-construction report including photographs documenting the status of the completed construction shall be submitted to the DES Wetlands Bureau within thirty (30) days of the completion of construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 903(c), replacement of an existing legal crossing that would be classified as tier one under Env-Wt 904.02(a).
2. The proposal will set the replacement culvert at grade.
3. Per Env-Wt 904.02, the application confirms the crossing does not have a history of flooding.
4. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
5. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
6. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**FORESTRY NOTIFICATION**

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**2011-01629                      KIMBALL UNION ACADEMY**  
**PLAINFIELD   Unnamed Stream**

COMPLETE NOTIFICATION:

Plainfield Tax Map 231, Lot# 4, 5, & 6

**2011-01854                      GREAT HILL RESERVATION TRUST  
TAMWORTH   Unnamed Stream**

COMPLETE NOTIFICATION:  
Tamworth Tax Map 405, Lot# 15

**2011-01869                      NEW ENGLAND FORESTRY CONSULTANTS INC  
NEW BOSTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
New Boston Tax Map 13, Lot# 33, 66, 67

**2011-01870                      TOWNES FAMILY TRUST, ELLEN TOWNES-ANDERSON  
NEW BOSTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
New Boston Tax Map 13, Lot# 36, 37

**2011-01871                      HERTEL, VAN  
WASHINGTON   Unnamed Stream**

COMPLETE NOTIFICATION:  
Washington Tax Map 11, Lot# 80

**EXPEDITED MINIMUM**

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**2010-03437                      LEMIEUX REVOCABLE TRUST  
PELHAM   Unnamed Wetland**

Requested Action:  
Applicant requests an permit to include an additional 500 square feet of temporary for the construction of an access road for a well drilling machine.

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Conservation Commission/Staff Comments:  
The Pelham Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE AMENDMENT:  
Amend permit description to include an additional 500 square feet of temporary impact for the construction of an access road for a well drilling machine and permanently impact 1,637 square feet within the bed and banks of an intermittent stream to install a 6-foot by 2-foot open bottom box culvert associated with the construction of a roadway for access to two (2) cul de sacs as part of an 18-lot residential subdivision of approximately 35.5 acres with approximately 16.88 acres reserved in perpetuity as open space.

With Conditions:

1. All work shall be in accordance with plans by Meisner Brem Corporation dated March 5, 2010 and revised through July 21, 2011, as received by the NH Department of Environmental Services (DES) on July 25, 2011.
2. NH DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
3. This permit is contingent on approval by the DES Alteration of Terrain Bureau.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
6. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
7. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #6 of this approval.
8. This permit shall not be effective until it has been recorded with the Hillsborough County Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested.
9. Work shall be done during seasonal low flow conditions.
10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
11. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Topsoil in wetlands shall be stripped and segregated from subsoil during construction. Wetland topsoils shall be stockpiled separately from subsoils and shall be restored following backfill.
16. Wetlands shall be restored to their pre-construction conditions, including restoration of original grades, within 5 days of backfill.
17. A post-construction report documenting status of wetlands restoration shall be submitted to the Wetlands Bureau within six weeks of the completion of construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f), alteration of less than 3,000 square feet of forested wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. On July 25, 2011, DES received an amendment request to include an additional 500 square feet of temporary impact for the construction of an access road for a well drilling machine.
6. Cumulatively, these impacts will not exceed the impact threshold for a minimum impact project. The wetland impacts will be restored when the work is completed.
7. DES finds that the requested impacts still meet the criteria of Env-Wt 304.04(f) and hereby approves the amendment request.

**2011-00613**                      **COSTA, LINDA**  
**PELHAM**   **Unnamed Wetland**

Requested Action:

Approve name change to: Brian McGowan, 173 Methuen Street, Lowell MA 01850 per request received 8/2/11. Previous owner: Linda Costa.

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Conservation Commission/Staff Comments:

The Pelham Conservation Commission signed the Minimum Expedited Application.

APPROVE NAME CHANGE:

Dredge and fill 942 sq. ft of palustrine forested wetland to construct a driveway and install a 15-inch by 28-foot ADS culvert for access to buildable uplands for a single family residential dwelling on approximately 6.94 acres.

With Conditions:

1. All work shall be in accordance with the "Proposed Conditions Plans" by Edward N. Herbert Associates, Inc. dated February 2011, as received by the NH Department of Environmental Services (DES) on March 28, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. DES Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
4. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
5. Work shall be done during seasonal low flow conditions.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
9. No fill shall be done to achieve septic setback and no dredging shall take place that would contradict the DES Subsurface Systems Bureau rules.
10. No fill shall be done for lot development.
11. No fill shall take place in Atlantic white cedar swamps.
12. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Env-Wt 502.02.

**2011-01575                      NEWINGTON, TOWN OF**  
**NEWINGTON   Piscataqua River**

Requested Action:

Repair and reconstruct an existing boat launching ramp within the same footprint.

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APPROVE PERMIT:

Repair and reconstruct an existing boat launching ramp within the same footprint.

With Conditions:

1. All work shall be in accordance with plans by Waterfront Engineers, LLC. dated June 11, 2011, as received by the NH Department of Environmental Services (DES) on July 12, 2011
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Work shall be done during low tide.
4. Appropriate siltation/erosion/turbidity controls, including a turbidity curtain if necessary, shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.

5. There shall be no cutting of trees or removal of any stumps from the bank except for the area within which construction of the ramp will take place.
6. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee.
7. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
8. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.
9. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.  
Faulty equipment shall be repaired prior to entering jurisdictional areas.
10. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
11. All refueling of equipment shall occur outside of surface waters or wetlands.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing structures with no change in size, location or configuration.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The boat ramp is deteriorated and in need of repair and reconstruction.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03. The boat ramp is being reconstructed within the existing footprint.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project. The NH Natural Heritage has no record of sensitive species within the vicinity of this project.
5. The Conservation Commission recommends approval of the project.

**2011-01654                      KENDALL, KENNETT**  
**MADISON   Frost Brook**

Requested Action:

Restore aquatic habitat for native brook trout along 1,000 linear feet of Frost Brook by cutting trees/wood into the brook.

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APPROVE PERMIT:

Restore aquatic habitat for native brook trout along 1,000 linear feet of Frost Brook by cutting trees/wood into the brook.

With Conditions:

1. All work shall be in accordance with the approved plans, as received by DES on July 13, 2011.
2. There shall be no work in areas under the jurisdiction of the DES Wetlands Bureau that is within 20 feet of an abutting property line unless the applicant receives written agreement from the affected abutter.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. Work shall be done during low flow conditions.
5. No trees shall that are stabilizing banks or slopes shall be cut.
6. A post-construction report with photographs documenting the status of the completed project shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This is a Minimum Impact Project per NH Administrative Rule Env-Wt 303.04(t), as the project proposes to restore degraded aquatic resources that benefit native brook trout.
2. This restoration project is supported by the NH Fish & Game Dept. and the US Forest Service by serving on the Advisory Board for this trout habitat improvement project.

3. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
6. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
7. The Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.

**2011-01682                      MONROE, TOWN OF**  
**MONROE   Smith Brook**

**Requested Action:**

Dredge and fill 480 square feet (180 linear feet) of the bed and banks of a perennial stream for the replacement of an existing 48" culvert with a five foot embedded squashed culvert.

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**APPROVE PERMIT:**

Dredge and fill 480 square feet (180 linear feet) of the bed and banks of a perennial stream for the replacement of an existing 48" culvert with a five foot embedded squashed culvert.

**With Conditions:**

1. All work shall be in accordance with plans by Watershed to Wildlife entitled AutoCAD Drawings of Existing Conditions and Wetland Delineation; Profiles and Cross-Section; and Temporary Stream Diversion as received by the Department on June 15, 2011.
2. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized.
3. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
4. Work within the stream, inclusive of work associated with installation of a cofferdam, shall be done during periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
5. The Permittee shall monitor the weather and will not commence work within flowing water, including the installation of cofferdams, when rain is in the forecast.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
7. Prior to commencing work within surface waters, a cofferdam shall be constructed to isolate the work area from the surface waters.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
9. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
10. Materials used to emulate a natural channel bottom within the culvert must be rounded and smooth stones similar to the natural stream substrate and shall not include angular rip-rap or gravel.
11. The culverts shall be laid at original grade.
12. Proper headwalls shall be constructed within seven days of culvert installation.
13. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction.
14. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
15. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
16. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
17. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
18. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

19. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
20. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
21. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
22. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
23. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

With Findings:

1. This is a Minimum Impact project per Administrative Rule Env-Wt 303.04 (j).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04 Requirements for Application Evaluation, has been considered in the design of the project.
5. The proposed stream crossings will not diminish the hydraulic capacity of the crossing or the capacity of the crossing to accommodate aquatic life passage.
6. The stream crossing replacement is an upgrade of the existing crossing
7. The Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.
8. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.

**2011-01750                      FREEMAN, JOHN/VERONICA**  
**RAYMOND   Unnamed Wetland**

Requested Action:

Dredge and fill a total of 405 sq. ft. of palustrine forested/scrub-shrub wetlands to install a new water line to provide treated drinking water to residences affected by the Mottolo Pig Farm Superfund site.

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Conservation Commission/Staff Comments:

The Town of Raymond Conservation Commission signed the Minimum Impact Expedited Application

APPROVE PERMIT:

Dredge and fill a total of 405 sq. ft. of palustrine forested/scrub-shrub wetlands to install a new water line to provide treated drinking water to residences affected by the Mottolo Pig Farm Superfund site.

With Conditions:

1. All work shall be in accordance with plans by Underwood Engineers, Inc. dated May 24, 2011 & June 2011, as received by the NH Department of Environmental Services (DES) on July 22, 2011.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and/or further permitting by the Bureau.
3. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2011-01786                      DUKE, MARIA/RICHARD**  
**WINDHAM   Cobbett's Pond**

Requested Action:

Replace existing deteriorated 18" +/- square stone culvert with an 18" ADS Pipe culvert in the same location. All inverts are to be at the same elevation as the exiting culvert. Total impacts = 200 sq. ft. of palustrine scrub-shrub wetlands.

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Conservation Commission/Staff Comments:

Town of Windham Conservation Commission signed the Minimum Impact Expedited Application

APPROVE PERMIT:

Replace existing deteriorated 18" +/- square stone culvert with an 18" ADS Pipe culvert in the same location. All inverts are to be at the same elevation as the exiting culvert. Total impacts = 200 sq. ft. of palustrine scrub-shrub wetlands.

With Conditions:

1. All work shall be in accordance with plans by Benchmark Engineering, Inc. dated June 28, 2011, as received by the NH Department of Environmental Services (DES) on July 26, 2011.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August 1992).
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Work shall be done during low flow.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**GOLD DREDGE**

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**2011-01712                      HUFF, LAWRENCE**  
**(ALL TOWNS)   Unnamed Stream**



Conservation Commission/Staff Comments:  
cc Bath ConCom

**2011-01894                      KUHLMANN JR, RICHARD**  
**(ALL TOWNS)   Unnamed Stream**

Conservation Commission/Staff Comments:  
cc Bath ConCom

**2011-01924                      COULTER, WILLIAM**  
**(ALL TOWNS)   Unnamed Stream**

Conservation Commission/Staff Comments:  
cc Bath ConCom

**2011-01925                      COULTER, DANIEL**  
**(ALL TOWNS)   Unnamed Stream**

Conservation Commission/Staff Comments:  
cc Bath ConCom

**2011-01946                      KUPIS, EARL ROY**  
**(ALL TOWNS)   Unnamed Stream**

Conservation Commission/Staff Comments:  
cc Bath ConCom

**2011-01947                      MISSIOS, MIKE**  
**(ALL TOWNS)   Unnamed Stream**

Conservation Commission/Staff Comments:  
cc Bath ConCom

**LAKES-SEASONAL DOCK NOTIF**

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**2011-01895                      ELLIOT, CHRISTIAN**  
**CENTER OSSIPEE   Unnamed Wetland Lake Ossipee**

COMPLETE NOTIFICATION:  
Ossipee Tax Map 52, Lot# 8 Lake Ossipee

**2011-01896                      MICHAUD, RONALD**  
**ALSTEAD   Newell Pond**

COMPLETE NOTIFICATION:

Alstead Tax Map 18, Lot# 33 Newell Pond

**2011-01908                      KELLY, PATRICIA**  
**MILTON   Milton 3 Ponds**

COMPLETE NOTIFICATION:

Milton Tax Map 33, Lot# 251 Milton 3 Ponds

**2011-01909                      CHRISTIANSON, JOHN/ARLENE**  
**WAKEFIELD   Belleau Lake**

COMPLETE NOTIFICATION:

Wakefield Tax Map 44, Lot# 45 Belleau Lake

**2011-01948                      MICHAELIS, BRIAN**  
**LACONIA   Lake Opechee**

COMPLETE NOTIFICATION:

Laconia Tax Map 296, Lot# 71 Lake Opechee

PERMIT BY NOTIFICATION

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**2011-01912                      KELLY, BARRY**  
**TUFTONBORO   Lake Winnepesaukee**

Requested Action:

Repair of existing docking structures with no change in size, location or configuration.

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Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Repair of existing docking structures with no change in size, location or configuration.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

**2011-01913                      WILLIAMS, HADLEY**  
**TUFTONBORO   Lake Winnepesaukee**

Requested Action:

Repair of existing docking structures with no change in size, location or configuration.

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Conservation Commission/Staff Comments:

Con Com signed PBN form

PBN IS COMPLETE:

Repair of existing docking structures with no change in size, location or configuration.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

**CSPA PERMIT**

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**2011-00385                      DOLFI, ELIZABETH/SCOTT**  
**MOULTONBOROUGH   Lake Winnepesaukee**

Requested Action:

AMENDMENT DESCRIPTION: Revised plans dated August 8, 2011 and received by DES August 9, 2011 to propose a reduction in the footprint for the residence, replace two sheds with one further back from reference line, and relocate stairway around propose shed.

Impact 16,425 sq ft in order to remove existing residence and construct a new residence with driveway and septic system.

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APPROVE AMENDMENT:

AMENDMENT DESCRIPTION: Revised plans dated August 8, 2011 and received by DES August 9, 2011 to propose a reduction in the footprint for the residence, replace two sheds with one further back from reference line, and relocate stairway around propose shed.

Impact 16,425 sq ft in order to remove existing residence and construct a new residence with driveway and septic system.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated January 25, 2011 and received by the NH Department of Environmental Services (DES) on February 18, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 25.5% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 5,890 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-01618                      CAINE, FRANKLYN**  
**ALTON   Lake Winnepesaukee**

Requested Action:

Impact 20,693 sq ft in order to construct a new house with decks, driveway and septic system.

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APPROVE PERMIT:

Impact 20,693 sq ft in order to construct a new house with decks, driveway and septic system.

With Conditions:

1. All work shall be in accordance with plans by DMC Surveyors dated June 27, 2011 and received by the NH Department of Environmental Services (DES) on August 3, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 19.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 667 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-01687                      GUARALDI, LEONARD/SANDRA**  
**LEBANON   Mascoma Lake**

Requested Action:

Impact 2,643 sq ft for the purpose of constructing a new residential dwelling, associated accessory structures and installing stormwater controls.

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APPROVE PERMIT:

Impact 2,643 sq ft for the purpose of constructing a new residential dwelling, associated accessory structures and installing stormwater controls.

With Conditions:

1. All work shall be in accordance with plans by Pathways Consulting, LLC, dated June 23, 2011 and received by the Department of Environmental Services ("DES") on July 15, 2011.
2. No more than 11.7% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
4. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
5. No impacts shall occur to natural ground covers within the waterfront buffer.

6. The vegetation planted within the bio-retention areas shall be monitored, and if necessary, replaced, to ensure 100% survival rate for a period two years following construction.
7. The vegetation planted within the bio-retention areas shall not be removed without the written approval of DES.
8. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
9. In order to remain compliant with RSA 483-B:9, V, (b), (2), there shall be no impacts to native vegetation or natural ground cover between 50 feet and 150 feet from the reference line.
10. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
11. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
12. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
13. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
14. Any fill used shall be clean sand, gravel, rock, or other suitable material.
15. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
17. Silt fencing must be removed once the area is stabilized.

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With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Mascoma Lake and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, I, nonconforming primary structures may be altered or expanded provided the structure is not expanded closer to public waters and the proposal or property is made more nearly conforming than existing structure or the existing conditionals of the property.
3. The applicant has proposed to increase the setback of the primary structure from the reference line.
4. The applicant has proposed to install stormwater controls consisting of 2 bioretention areas that will be capable of infiltrating stormwater from the proposed primary structure.
5. The applicant has proposed to install significant stormwater controls and attain a greater setback from the reference line, and therefore, is more nearly conforming in accordance with RSA 483-B:11, I.

**2011-01688                      GUARALDI, LEONARD/SANDRA**  
**LEBANON   Mascoma Lake**

Requested Action:

Impact 2,035 sq ft for the purpose of constructing a new residential dwelling, associated accessory structures and installing stormwater controls.

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APPROVE PERMIT:

Impact 2,035 sq ft for the purpose of constructing a new residential dwelling, associated accessory structures and installing stormwater controls.

With Conditions:

1. All work shall be in accordance with plans by Pathways Consulting, LLC, dated June 23, 2011 and received by the Department of Environmental Services ("DES") on July 15, 2011.
2. No more than 12.3% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.

3. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
4. No impacts shall occur to natural ground covers within the waterfront buffer.
5. The vegetation planted within the bio-retention areas shall be monitored, and if necessary, replaced, to ensure 100% survival rate for a period two years following construction.
6. The vegetation planted within the bio-retention areas shall not be removed without the written approval of DES.
7. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
9. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
10. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.
13. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Silt fencing must be removed once the area is stabilized.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Mascoma Lake and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, I, nonconforming primary structures may be altered or expanded provided the structure is not expanded closer to public waters and the proposal or property is made more nearly conforming than existing structure or the existing conditions of the property.
3. The applicant has proposed to decrease the impervious area within the protected shoreland.
4. The applicant has proposed to install stormwater controls consisting of a bioretention area that will be capable of infiltrating stormwater from the roof of the proposed primary structure.
5. The applicant has proposed to install sound stormwater controls and decreases the impervious area within the protected shoreland and therefore, is more nearly conforming in accordance with RSA 483-B:11, I.

**2011-01720                      MANCHESTER PARKS & RECREATION, CITY OF  
MANCHESTER   Dorrs Pond**

Requested Action:

Impact 6,500 sq ft for the purpose of rehabilitating an existing dam.

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APPROVE PERMIT:

Impact 6,500 sq ft for the purpose of rehabilitating an existing dam.

With Conditions:

1. All work shall be in accordance with plans by TFMoran, Inc., dated May 31, 2011 and received by the Department of Environmental Services ("DES") on July 28, 2011.
2. No more than 5.0% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
3. This permit is contingent upon receiving all necessary approvals from the NH DES Wetlands Bureau for proposed impacts jurisdictional under RSA 482-A.

4. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Silt fencing must be removed once the area is stabilized.
12. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-01738                      BRAGDON, RICHARD**  
**AMHERST   Baboosic Brook**

Requested Action:

Impact 30,200 sq ft in order to construct a detention pond, swales, overflow outlets, and a well.

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APPROVE PERMIT:

Impact 30,200 sq ft in order to construct a detention pond, swales, overflow outlets, and a well.

With Conditions:

1. All work shall be in accordance with plans by Sandford Surveying and Engineering dated July 19, 2011 and received by the NH Department of Environmental Services (DES) on July 21, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
4. At least 18,500 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-01749                      MOAVENAIN, KRISTIN**  
**NEWBURY   Sunapee Lake**

Requested Action:

Impact 1,760 sq ft in order to construct a pervious patio, reduce a deck, and add walkways.

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APPROVE PERMIT:

Impact 1,760 sq ft in order to construct a pervious patio, reduce a deck, and add walkways.

With Conditions:

1. All work shall be in accordance with plans by Pierre J. Bedard dated July 21, 2011 and received by the NH Department of Environmental Services (DES) on July 22, 2011.
2. No more than 34% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. At least 3,767 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-01761                      CASE, DEBORAH/RICHARD**  
**WENTWORTH   Baker River**

Requested Action:

Impact 4,715 sq ft in order to construct a new house, driveway, and septic system.

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APPROVE PERMIT:

Impact 4,715 sq ft in order to construct a new house, driveway, and septic system.

With Conditions:

1. All work shall be in accordance with plans by B. A. Barnard Ent., Inc. dated June 1, 2011 and received by the NH Department of Environmental Services (DES) on July 25, 2011.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 5.6% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 12,211 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.



**2011-01766                      SILVIA, HEIDI**  
**WASHINGTON   Smith Pond**

Requested Action:

Impact 9,718 sq ft (2,856 sq ft permanent impacts) for the purpose of constructing a residential dwelling, driveway, onsite septic system, and associated impacts.

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APPROVE PERMIT:

Impact 9,718 sq ft (2,856 sq ft permanent impacts) for the purpose of constructing a residential dwelling, driveway, onsite septic system, and associated impacts.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services, Inc. dated June 23, 2011 and received by the NH Department of Environmental Services (DES) on July 25, 2011.
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau."
3. No more than 11.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 1,640 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

**2011-01798                      CUSCIA, GARY**  
**TUFTONBORO   Dan Hole Pond**

Requested Action:

Impact 8,729 sq ft (4,464 sq ft permanent impact) for the purpose of constructing a residential dwelling, breezeway, garage, driveway, effluent disposal system, path, and other associated impacts.

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APPROVE PERMIT:

Impact 8,729 sq ft (4,464 sq ft permanent impact) for the purpose of constructing a residential dwelling, breezeway, garage, driveway, effluent disposal system, path, and other associated impacts.

With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey Co., Inc. dated July 22, 2011 and received by the NH Department of Environmental Services (DES) on July 27, 2011.
2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau.
3. No more than 19.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 2,436 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in

order to comply with RSA 483-B:9, V, (b), (2).

5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

10. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-01820                      POKORNY, CHERYL/JAMES**  
**ACWORTH   Cold River**

**Requested Action:**

Impact 4,000 sq ft in order to replace old camp with new house, driveway, and septic system.

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**APPROVE PERMIT:**

Impact 4,000 sq ft in order to replace old camp with new house, driveway, and septic system.

**With Conditions:**

1. All work shall be in accordance with plans by Joel Bishop dated July 1, 2011 and received by the NH Department of Environmental Services (DES) on July 29, 2011.

2. This permit is contingent on approval by the DES Subsurface Systems Bureau.

3. No more than 6.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

4. At least 10,613 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

8. Any fill used shall be clean sand, gravel, rock, or other suitable material.

9. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2011-01877                      PAUL, THERESA**  
**BELMONT   Winnisquam Lake**

**Requested Action:**

Remove and replace a non-conforming 21ft x 8.5ft wood dock and screenhouse with a new wood dock and sunroom.

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**APPROVE PERMIT:**

Remove and replace a non-conforming 21ft x 8.5ft wood dock and screenhouse with a new wood dock and sunroom.

With Conditions:

1. All work shall be in accordance with plans by Chris J. Wood dated August 1, 2011 and received by the NH Department of Environmental Services (DES) on August 4, 2011.
2. No more than 21% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
3. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
4. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
5. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
6. Any fill used shall be clean sand, gravel, rock, or other suitable material.
7. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**CSPA PERMIT W/WAIVER**

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**2011-00826                      CROSS, NORA**  
**MOULTONBOROUGH   Lake Winnepesaukee**

Requested Action:

Impact 7,800 sq ft for the purpose of expanding the footprint of a nonconforming primary structure and installing a new septic system and stormwater controls.

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APPROVE AMENDMENT:

Impact 7,800 sq ft for the purpose of expanding the footprint of a nonconforming primary structure and installing a new septic system and stormwater controls.

WAIVER APPROVED: RSA 483-B:9, II(b) is waived to allow the expansion of a primary structure that encroaches upon the primary building setback.

AMENDMENT APPROVED: Amend shoreland permit to modify the footprint of the proposed primary structure.

With Conditions:

1. All work shall be in accordance with amended plans by T.F. Bernier, Inc., received by the Department of Environmental Services ("DES") on July 22, 2011 and dated July 18, 2011.
2. This approval includes a waiver of RSA 483-B:9, II (b) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 10.0% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
4. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau and installing the proposed septic system.
5. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
6. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate

- stormwater. 7. No impacts shall occur to natural ground covers within the waterfront buffer.
8. In order to remain compliant with RSA 483-B:9, V, (b), (2), there shall be no impacts to native vegetation or natural ground cover between 50 feet and 150 feet from the reference line.
9. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
10. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
11. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
12. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.
14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Silt fencing must be removed once the area is stabilized.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to Lake Winnepesaukee and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant has proposed to decrease the impervious area within the protected shoreland by 175 sq ft.
4. The applicant has proposed to install stormwater controls consisting of two leaching basins that will be capable of infiltrating greater than a 2 year, 24 hr storm event from a 1,818 sq ft of impervious area.
5. The applicant has proposed to install a new NH DES Subsurface Bureau approved wastewater treatment system.
6. The applicant has proposed to install stormwater controls, install a new septic system, and reduce the total amount of impervious surface coverage within the protected shoreland, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

**2011-01287**                      **MCDONALDS USA LLC**  
**CLAREMONT**   Sugar River

Requested Action:

Impact 4,231 sq ft for the purpose of redeveloping a commercial site.

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APPROVE PERMIT:

Impact 4,231 sq ft for the purpose of redeveloping a commercial site.

WAIVER APPROVED: RSA 483-B:9, V(g)(1) is waived to allow the expansion of a primary structure on a lot within the protected shoreland that exceeds 30% impervious surface coverage.

With Conditions:

1. All work shall be in accordance with plans by Bohler Engineering, LLC, dated May 25, 2011 and received by the Department of Environmental Services ("DES") on June 3, 2011 and revised pervious pavement plans recived by DEs on August 5, 2011.
2. This approval includes a waiver of RSA 483-B:9, V(g)(1) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 73.8% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
4. All pervious technologies used shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.
5. No impacts shall occur to natural ground covers within the waterfront buffer.
6. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.
12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Silt fencing must be removed once the area is stabilized.
15. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement or revocation action if the DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

With Findings:

1. The existing non-conforming structure is located on a lot that exceeds 30% impervious surface coverage within the protected shoreland adjacent to the Sugar River and, therefore, fails to conform to the impervious surface limitation set forth in RSA 483-B:9, V (g)(1), of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant has proposed to decrease the impervious area within the protected shoreland by 2,472 sq ft.
4. The applicant has proposed to install 1,500 sq ft of pervious asphalt.
5. The applicant has proposed to reduce overall impervious area of the lot within the protected shoreland and has proposed to utilize pervious technologies and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.

**2011-01518                      WEESNER, STEVEN**  
**LEE   Lamprey River**

Requested Action:

Impact 2,773 sq ft for the purpose of expanding the footprint of a nonconforming primary structure.

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APPROVE PERMIT:

Impact 2,773 sq ft for the purpose of expanding the footprint of a nonconforming primary structure.

WAIVER APPROVED: RSA 483-B:9, II(b) is waived to allow the expansion of a primary structure that encroaches upon the primary building setback.

With Conditions:

1. All work shall be in accordance with plans by Steven Weesner and received by the Department of Environmental Services ("DES") on June 27, 2011 and revised plans received by DES on August 5, 2011.
2. This approval includes a waiver of RSA 483-B:9, II (b) and, therefore, shall not be effective until it has been recorded at the appropriate Registry of Deeds and a copy of the recorded waiver is sent to the department by certified mail, return receipt requested.
3. No more than 10.51% of the area of the lot within the protected shoreland shall be composed of impervious surfaces unless additional approval is obtained from DES.
4. This permit is contingent upon receiving all necessary approvals from the NH DES Subsurface Systems Bureau and installing the new septic system.
5. The proposed stormwater treatment measures shall be designed, installed and maintained to effectively intercept and infiltrate stormwater.
6. No impacts shall occur to natural ground covers within the waterfront buffer.
7. There shall be no impacts within wetlands, surface waters, or their banks until any permit as may be required under RSA 482-A has been obtained.
8. In order to remain compliant with RSA 483-B:9, V, (b), (2), there shall be no impacts to the 150 sq ft of native vegetation and natural ground cover between 50 feet and 150 feet from the reference line.
9. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
10. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
11. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
12. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
13. Any fill used shall be clean sand, gravel, rock, or other suitable material.
14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Silt fencing must be removed once the area is stabilized.
17. Upon completion of the proposed project, the exiting septic system shall pose no threat to adjacent surface waters.

With Findings:

1. The existing non-conforming structure is located within the 50 ft primary building setback to the Lamprey River and, therefore, fails to conform to the setback restriction set forth in RSA 483-B:9, II (b), of the CSPA.
2. In accordance with RSA 483-B:11, II, the commissioner shall review proposals which are more nearly conforming than the existing structures, and may waive some of the standards specified in RSA 483-B:9, so long as there is at least the same degree of protection provided to the public waters and the proposal is "more nearly conforming."
3. The applicant has proposed to install stormwater controls consisting of a roof rainwater collection system that will direct stormwater to a drywell and/ or cistern.
4. The applicant has proposed to install a new NH DES Subsurface Bureau approved wastewater treatment system.
5. The applicant has proposed to install sound stormwater controls and install a new septic system, and therefore, meets the requirements for a waiver of RSA 483-B:9 as described in RSA 483-B: 11, I.